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असाधारण

EXTRAORDINARY

भाग II — खण्ड 2

PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## LOK SABHA

The following Bill was introduced in Lok Sabha on 4th August, 2023:—

### BILL NO. 115 OF 2023

*A Bill to establish the Anusandhan National Research Foundation to provide high level strategic direction for research, innovation and entrepreneurship in the fields of natural sciences including mathematical sciences, engineering and technology, environmental and earth sciences, health and agriculture, and scientific and technological interfaces of humanities and social sciences, to promote, monitor and provide support as required for such research and for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

#### CHAPTER I

##### PRELIMINARY

1. (1) This Act may be called the Anusandhan National Research Foundation Act, 2023.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

## Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appointed date" means such date as the Central Government may, by notification, appoint under sub-section (2) of section 1;

(b) "Chief Executive Officer" means the Chief Executive Officer of the Foundation;

(c) "Committees" means the Committees of the Executive Council referred to in section 12;

(d) "Executive Council" means the Council constituted under sub-section (1) of section 7;

(e) "Foundation" means the Anusandhan National Research Foundation established under section 3;

(f) "Funds" means the Funds referred to in sub-section (2) of section 13;

(g) "Governing Board" means the Governing Board of the Foundation constituted under section 5;

(h) "Member" means a Member of the Governing Board or the Executive Council and includes the President, Vice-President and Chairperson, as the case may be;

(i) "notification" means the notification published in the Official Gazette and the expression "notified" shall be construed accordingly;

(j) "prescribed" means prescribed by rules made under this Act; and

(k) "regulations" means the regulations made by the Executive Council under this Act.

## CHAPTER II

## ANUSANDHAN NATIONAL RESEARCH FOUNDATION

Establishment  
of  
Foundation.

3. (1) With effect from such date as the Central Government may, by notification, appoint, there shall be established for the purposes of this Act, a Foundation to be known as the Anusandhan National Research Foundation.

(2) The Foundation, referred to in sub-section (1), shall be a body corporate, having perpetual succession and a common seal, with power subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall, by the said name, sue or be sued.

Objectives of  
Foundation.

4. (1) Subject to the provisions of this Act, the Foundation shall serve as the apex body to provide high level strategic direction for research, innovation and entrepreneurship in the fields of natural sciences including mathematical sciences, engineering and technology, environmental and earth sciences, health and agriculture, and scientific and technological interfaces of humanities and social sciences.

(2) Without prejudice to the provisions contained in sub-section (1), the Foundation shall undertake suitable initiatives including the following, namely:—

(a) preparing the roadmap for short, medium and long term research and development;

(b) seeding, growing and facilitating research at academic and research institutions, particularly at universities and colleges where research capacity is at a nascent stage, through programmes such as research and development projects, fellowships, academic chairs, and creation of centres of excellence;

(c) funding competitive peer-reviewed grant proposals to eligible persons;

(d) assisting in setting up research infrastructure and environment that is conducive for scientific pursuit with specific focus on matters of national priorities, emerging frontiers and strategic research;

(e) increasing India's role and participation in key areas of national and global importance;

(f) supporting translation of research undertaken into capital intensive technologies;

(g) evolving nationally coordinated programmes to identify scientific and practical solutions for societal, developmental, financial and techno-economic challenges;

(h) coordinating across the Central Government, State Governments, public authorities, industries, and research institutions, to document and analyse the expenditure on scientific research and their outcomes during each financial year, and report the same to the Central Government;

(i) evolving participation in international collaborative projects and fostering exchange of scientific information;

(j) encouraging collaboration with scientists from within and outside India, including scientists of Indian origin, with a view to enrich the Indian scientific ecosystem; and

(k) encouraging the Public Sector Enterprises as well as the private sector entities to invest in the activities of the Foundation.

(3) In addition to the objectives referred to in sub-section (2), the Foundation shall also, to the extent practicable, either by itself, or through a suitable agency identified in this behalf, undertake an annual survey of outcomes of scientific research in India, with a view to create a central repository, for the collection, interpretation and analysis of information and data surrounding such research, and the aim of such a repository would include providing information for policy formulation and advising the Central Government and State Governments as well as the private sector:

Provided that the survey referred to in this sub-section shall exclude any strategic areas of research as determined by the Governing Board.

(4) The Foundation shall perform the aforesaid objectives through a Governing Board constituted under section 5.

5. (1) There shall be constituted a Governing Board, which shall provide high level strategic direction, perform and monitor the implementation of the objectives of the Foundation.

Governing Board.

(2) The Governing Board referred to in sub-section (1) shall consist of the following, namely:—

(a) the Prime Minister of India, *ex officio*—President;

(b) the Union Minister of Science and Technology, *ex officio*—Vice-President;

(c) the Union Minister of Education, *ex officio*—Vice-President;

(d) a Member from the NITI Aayog dealing with science and technology, *ex officio*—Member;

(e) Secretary to the Government of India in the Department of Science and Technology, *ex officio*—Member;

(f) Secretary to the Government of India in the Department of Scientific and Industrial Research, *ex officio*—Member;

(g) Secretary to the Government of India in the Department of Biotechnology, *ex officio*—Member;

(h) Secretary to the Government of India in the Department of Higher Education, *ex officio*—Member; and

(i) the Principal Scientific Advisor to the Government of India, *ex officio*—Member-Secretary.

(3) The President of the Governing Board may nominate or appoint the following Members to the Governing Board, namely:—

(a) not exceeding two Members from the Prime Minister's Science, Technology and Innovation Council;

(b) not exceeding five Members from business organisation or industry;

(c) one Member from the field of humanities and social sciences;

(d) not exceeding two Members from institutions engaged in scientific and technological research and development; and

(e) not exceeding six experts who have specialised knowledge in the areas of health, mathematical and physical sciences, biological sciences, engineering and technology, innovation and partnership, computer and information sciences, and engineering.

(4) The qualifications, experience, honorarium and allowances payable to and the other terms and conditions of service of the Members and experts of the Governing Board referred to in sub-section (3) shall be such as may be prescribed.

Meetings of  
Governing  
Board.

6. (1) The Governing Board shall meet at such times and places, and shall observe such rules of procedure in regard to the transaction of business at its meetings including quorum at such meetings, as may be specified by the regulations.

(2) If the President for any reason is unable to attend a meeting of the Governing Board, any of the Vice-Presidents shall preside over the meeting.

Executive  
Council.

7. (1) The President of the Governing Board shall constitute an Executive Council to implement the provisions of this Act.

(2) The Executive Council referred to in sub-section (1) shall consist of the following, nominated by the President of the Governing Board, namely:—

(a) the Principal Scientific Advisor to the Government of India, *ex officio*—Chairperson;

(b) Secretary to the Government of India in the Department of Science and Technology, *ex officio*—Member;

(c) Secretary to the Government of India in the Department of Biotechnology, *ex officio*—Member;

(d) Secretary to the Government of India in the Department of scientific and Industrial Research, *ex officio*—Member;

(e) Secretary to the Government of India in the Ministry of Earth Sciences, *ex officio*—Member;

(f) Secretary to the Government of India in the Department of Higher Education, *ex officio*—Member;

(g) Secretary to the Government of India in the Department of Health Research, *ex officio*—Member;

(h) Secretary to the Government of India in the Department of Defence Research and Development, *ex officio*—Member;

(i) Secretary to the Government of India in the Department of Atomic Energy, *ex officio*—Member;

(j) Secretary to the Government of India in the Department of Space, *ex officio*—Member;

(k) Secretary to the Government of India in the Department of Agricultural Research and Education, *ex officio*—Member; and

(l) the Chief Executive Officer of the Foundation appointed under section 11, *ex officio*—Member-Secretary.

(3) The President of the Governing Board may also nominate or appoint the following Members to the Executive Council, namely:—

(a) not exceeding two *ex officio* Members amongst Secretaries of such other Departments or Ministries of the Government of India, not referred to in sub-section (2), as may be notified by the Central Government; and

(b) not exceeding three Members amongst distinguished experts who have specialised knowledge in the areas of science and technology in academia, philanthropic sector, research laboratories and industries.

(4) The qualifications, experience, honorarium and allowances payable to and the other terms and conditions of service of the Members of the Executive Council referred to in clause (b) of sub-section (3) shall be such as may be prescribed.

**8.** (1) The Executive Council shall meet at such times and places, and shall observe such rules of procedure in regard to the transaction of business at its meetings including quorum at such meetings, as may be specified by the regulations.

Meetings of  
Executive  
Council.

(2) If the Chairperson for any reason is unable to attend a meeting of the Executive Council, the Member chosen by other Members shall preside over the meeting.

(3) The Chairperson shall, in addition to presiding over the meetings of the Executive Council, exercise and discharge such powers and duties, as may be delegated by the Governing Board.

**9.** No act or proceeding of the Governing Board or the Executive Council shall be invalidated merely by reason of—

Vacancies,  
etc., not to  
invalidate  
proceedings  
of Governing  
Board or  
Executive  
Council.

(a) any vacancy in, or any defect in the constitution of the Governing Board or the Executive Council;

(b) any defect in the appointment of a person acting as a Member of the Governing Board or the Executive Council; and

(c) any irregularity in the procedure of the Governing Board or the Executive Council not affecting the merits of the case.

**10.** The Executive Council shall implement the objectives of the Foundation based on the policy direction and guidance provided by the Governing Board, including the following functions, namely:—

Functions of  
Executive  
Council.

(a) to consider applications for the grant of financial assistance in accordance with the eligibility criteria as determined necessary for such grants;

(b) to determine through regulations,—

(i) the requirements for registration, the form and manner for making of applications for financial assistance;

(ii) reports and certification to be furnished pursuant to availing the financial assistance;

(iii) the requirements of extension of financial assistance; and

(iv) the grounds for revocation of financial assistance;

(c) to facilitate and provide any assistance as may be required to ensure filing of applications for intellectual property rights pursuant to the research undertaken through financial assistance under this Act; and

(d) any other function as may be delegated to it from time to time by the Governing Board.

Chief Executive Officer and other officers and employees of Foundation.

**11.** (1) The President of the Governing Board may appoint a Chief Executive Officer, not below the rank of Additional Secretary to the Government of India, for efficient administration of the Foundation.

(2) The qualifications, experience, salary and allowances payable to and the other terms and conditions of service of the Chief Executive Officer shall be such as may be prescribed.

(3) The Executive Council may appoint such other officers and employees as it considers necessary for the efficient discharge of its functions under this Act.

(4) The qualifications, experience, salary and allowances payable to and the other terms and conditions of service of the other officers and employees of the Foundation shall be such as may be prescribed.

(5) The Executive Council may engage the services of such persons, both from within and outside India, as consultants and visiting scientists to the Foundation.

(6) The eligibility criteria and honorarium payable to the consultants and visiting scientists, referred to in sub-section (5), shall be such as may be specified by the regulations.

Constitution of Committees.

**12.** (1) The Executive Council may constitute such Committees as it may deem necessary for the efficient discharge of its duties and performance of its functions under this Act.

(2) The Executive Council may also co-opt persons, other than Members of the Governing Board or the Executive Council, as members of any Committees constituted under sub-section (1).

(3) The co-opted members shall have the right to attend the meetings of the Committees and take part in the proceedings of the Committees, but shall not have right to participate in decision making.

### CHAPTER III

#### FINANCE, ACCOUNTS AND AUDIT

Funds of Foundation.

**13.** (1) The Foundation shall receive monies from the following sources, namely:—

(a) grants and loans of such sums of money as the Central Government may consider necessary, after due appropriation made by Parliament by law in this behalf;

(b) any sums received for research and development, including through donations from any other source, including from public sector enterprises, the private sector, philanthropist organisations, foundations or international bodies;

(c) recoveries made of the amounts granted to the Foundation;

(d) any income from investment of the amounts received by the Foundation;

(e) all amounts with the Fund for Science and Engineering Research under the Science and Engineering Research Board Act, 2008 as on the appointed date; and

9 of 2009.

(f) such other sources as may be prescribed.

(2) The Governing Board shall constitute the following Funds, into which it shall allocate, in the manner as it determines fit, the amounts received from clauses (a), (b), (c), (d) and (f) of sub-section (1), namely:—

(a) the Anusandhan National Research Foundation Fund, which shall be used for the financing of activities under the Act, including expenses, salaries, allowances and other administrative exigencies for achieving the objectives of the Foundation;

(b) the Innovation Fund for supporting outstanding creativity in the areas supported by the Foundation;

9 of 2009.

(c) the Science and Engineering Research Fund for continuation of the projects and programmes initiated under the Science and Engineering Research Board Act, 2008; and

(d) one or more Special Purpose Funds for any specific project or research.

(3) The Governing Board shall maintain the Science and Engineering Research Fund referred to in clause (c) of sub-section (2) for such time as it may determine necessary, and allocate to such Fund, the following amounts, namely:—

(a) all amounts under clause (e) of sub-section (1); and

(b) any further amounts from any of the other sources of Funds received by the Foundation, as may be determined to be necessary for the implementation of such projects and programmes, based on a review and assessment by the Executive Council.

(4) The Central Government shall frame such financial rules for the utilisation of the amounts in the Funds established under this Act.

**14.** The Executive Council shall prepare a budget, maintain proper accounts in such form and manner at such time and at such intervals as may be prescribed for the next financial year, showing the estimated receipts and expenditure of the Foundation, as approved by the Governing Board, and forward the same to the Central Government.

Budget.

**15.** The Executive Council shall prepare, in such form and manner and at such time in every financial year, as may be prescribed, its annual report, giving a full account of the Foundation's activities during the previous financial year and submit a copy of the same to the Central Government.

Annual report.

**16.** (1) The Executive Council shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form and manner as may be prescribed in consultation with the Comptroller and Auditor-General of India.

Accounts and audit.

(2) The Comptroller and Auditor-General of India or any other person appointed in connection with the auditing of the accounts of the Foundation under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the auditing of the Government account and, in particular, shall have the right to demand the production of books, accounts connected vouchers and other documents and papers and to inspect any of the office of the Foundation under this Act.

(3) The accounts of the Foundation shall be audited by the Comptroller and Auditor-General of India annually and any expenditure incurred in connection with such audit shall be payable by the Foundation to the Comptroller and Auditor-General of India.

(4) The Executive Council shall furnish to the Central Government, before such date as may be prescribed, its audited copy of accounts together with auditor's report.

**17.** The Central Government shall cause the annual report and auditor's report to be laid, as soon as may be after they have received, before each House of Parliament.

Annual report and Auditor's report to be laid before Parliament.

## CHAPTER IV

### MISCELLANEOUS

**18.** (1) Any person receiving financial assistance from the Foundation shall furnish certification and report to the Executive Council, in such form and manner and at such time as may be specified by the regulations.

Certification and report to be furnished.

(2) The Executive Council may authorise an officer to visit any academic institutions, research and development laboratories, industries and other organisations with which the



person referred to in sub-section (1) is associated, at any time to verify the accuracy of the certification or report made under this section.

Power of  
Governing  
Board to  
delegate.

**19.** The Governing Board may, by general or special order in writing, published in the Official Gazette, delegate to the Executive Council, the Chairperson of the Executive Council or the Chief Executive Officer, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions including, but not limited to administrative and financial matters, as it may deem necessary.

Power of  
Governing  
Board to issue  
directions.

**20.** (1) Without prejudice to the foregoing provisions of this Act, the Executive Council shall, in discharge of its powers and performance of its functions under this Act, be bound by such directions as the Governing Board may give in writing to it from time to time.

(2) The Executive Council shall furnish to the Governing Board such information with respect to its activities as the Governing Board may, from time to time, require.

Application  
of other laws  
not barred.

**21.** The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

Protection of  
action taken  
in good faith.

**22.** No prosecution or other legal proceeding shall lie against the Central Government or the Governing Board or Executive Council or any Member of the Governing Board or Executive Council, or any Committee, officer or employee of the Foundation, or any other person authorised by the Central Government or the Foundation, for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.

Power to  
make rules.

**23.** (1) The Central Government may, by notification, and subject to the condition of previous publication, make rules not inconsistent with the provisions of this Act, to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the qualifications, experience, honorarium and allowances payable to and the other terms and conditions of service of the Members and experts of the Governing Board under sub-section (4) of section 5;

(b) the qualifications, experience, honorarium and allowances payable to and the other terms and conditions of service of the Members of the Executive Council under sub-section (4) of section 7;

(c) the qualifications, experience, salary and allowances payable to and the other terms and conditions of service of the Chief Executive Officer under sub-section (2) of section 11;

(d) the qualifications, experience, salary and allowances payable to and the other terms and conditions of service of the other officers and employees under sub-section (4) of section 11;

(e) the other sources from where the Foundation receive monies under clause (f) of sub-section (1) of section 13;

(f) the financial rules for the utilisation of the amounts in the funds under sub-section (4) of section 13;

(g) the form, manner, time and interval for preparation of budget for the next financial year under section 14;

(h) the form, manner and time for preparation of annual report by the Executive Council under section 15;

(i) the form and manner of preparation of annual statement of accounts by the Executive Council under sub-section (1) of section 16;



(j) the date of submission of audited copy of accounts together with the auditor's report under sub-section (4) of section 16;

(k) the manner of dealing with the monies transferred by the Board to the Foundation under second proviso to clause (b) of sub-section (3) of section 27; and

(l) any other matter which is to be or may be prescribed or in respect of which provision is to be made by rules.

**24.** (1) The Executive Council may, by notification and with the prior approval of the Central Government, make regulations not inconsistent with the provisions of this Act and any rules made thereunder to carry out the purposes of this Act.

Power of Executive Council to make regulations.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the time, place and the rules of procedure in regard to transaction of business at the meetings and quorum of the Governing Board under sub-section (1) of section 6;

(b) the time, place and the rules of procedure in regard to transaction of business at the meetings and quorum of Executive Council under sub-section (1) of section 8;

(c) the requirements for registration, form and manner for making applications for financial assistance, reports and certification to be furnished for the financial assistance, extension of financial assistance and grounds for revocation of financial assistance under clause (b) of section 10;

(d) the eligibility criteria and honorarium payable to the consultants and visiting scientists under sub-section (6) of section 11;

(e) the form, manner and time for furnishing certification and report to the Foundation under sub-section (1) of section 18; and

(f) any other matter which is required to be or may be specified by regulations or in respect of which provision is to be made by regulations.

**25.** Every rule and every regulation made under this Act, shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

Rules and regulations to be laid before Parliament.

**26.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, on the recommendations of the Foundation, by an order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act or the rules or regulations made thereunder, as may appear to it to be necessary or expedient for removing such difficulty:

Power to remove difficulties.

Provided that no such order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

**27.** (1) The Science and Engineering Research Board Act, 2008 is hereby repealed and the Science and Engineering Research Board constituted under section 3 of the said Act (hereinafter referred to as the repealed Act) shall stand dissolved.

Repeal and savings.

(2) The repeal of the Science and Engineering Research Board Act, 2008 shall, however, not affect:— 9 of 2009.

(a) any action taken pursuant to sub-section (3) of section 13;

(b) previous operation or anything duly done under the repealed Act;

(c) any right, privilege, obligation or liability acquired or accrued or incurred under the repealed Act; and

(d) any proceeding pending or ongoing under the repealed Act.

(3) On the dissolution of the Science and Engineering Research Board—

(a) all assets, liabilities and other facilities forming part of or used in connection with the Science and Engineering Research Board, shall be deemed to be the assets of the Foundation; and

(b) any officer or employee who has been, immediately before the dissolution of the Science and Engineering Research Board, employed on regular basis by the Science and Engineering Research Board, shall become, on and from such dissolution, the officer and employee, respectively, of the Foundation in such manner as may be notified by the Central Government, with the same rights and privileges as to pension, gratuity and other like matters as would have been admissible to him if the rights in relation to the Science and Engineering Research Board had not been transferred to, and vested in, the Foundation, and shall continue to do so unless and until his employment in the Foundation, is duly terminated or until his remuneration, terms and conditions of employment are duly altered by the Foundation:

Provided that notwithstanding anything contained in the Industrial Disputes Act, 1947 or in any other law for the time being in force, the transfer of the services of any officer or other employee, employed in the Science and Engineering Research Board, to the Foundation shall not entitle such officer or other employee, any compensation under this Act or any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority: 14 of 1947.

Provided further that where the Science and Engineering Research Board has established a provident fund, superannuation, welfare or other fund for the benefit of officers and other employees employed in the Science and Engineering Research Board, the monies relatable to the officers and other employees whose services have been transferred by or under this Act to the Foundation shall, out of the monies standing, on the dissolution of the Science and Engineering Research Board, to the credit of such provident fund, superannuation, welfare or other fund, stand transferred to, and vest in, the Foundation, and such monies which stand so transferred shall be dealt with by the said Foundation, in such manner as may be prescribed.

(4) The mention of the particular matters referred to in sub-section (3) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 with regard to the effect of repeal. 10 of 1897.

## STATEMENT OF OBJECTS AND REASONS

Research and development are the foundation for scientific discoveries, new technologies, and innovative applications. This is of crucial importance for India's success in a competitive global economy and in addressing challenges and opportunities across the various dimensions of science and technology. Development of a robust ecosystem is required in all fields of sciences. This includes mathematical sciences, engineering and technology, environmental and earth sciences, health and agriculture, as well as scientific and technological interfaces of humanities and social sciences.

2. The Science and Engineering Research Board Act, 2008 (the Science Act), has so far provided a good basis for promoting basic science and engineering research, through financial assistance to persons engaged in such research. However, the scale and scope of the Science and Engineering Research Board which was constituted through the Science Act are limited and it has not been able to bring decisive changes in the science and technology ecosystem of the country.

3. There is a need for integrated planning and coordination, through a more holistic approach to research and innovation. Our country has a vast pool of human resources trained in science and technology, many of whom may seek opportunities for scientific research in Universities and institutions outside India.

4. It is important to develop a robust and self-sustaining ecosystem, with an aim to give full expression to opportunities for all, and engender cutting-edge scientific research within India. This necessitates enhancing the ability of government institutions, Universities, higher educational institutions, as well as private sector organisations, to undertake such research. To ensure a financially viable research ecosystem, it is also necessary to tap into the financial resources of the private sector.

5. In the light of above, it is proposed to enact a new Legislation, namely, the Anusandhan National Research Foundation Bill, 2023 with a view to establish the Anusandhan National Research Foundation (Foundation) to provide high level strategic direction for research, innovation and entrepreneurship in the fields of natural sciences including mathematical sciences, engineering and technology, environmental and earth sciences, health and agriculture, as well as scientific and technological interfaces of humanities and social sciences, and to repeal the Science Act. The proposed new Legislation intends to enhance India's national research infrastructure, knowledge enterprise, and innovation potential, for scientific pursuit.

6. The salient features of the Anusandhan National Research Foundation Bill, 2023 seeks to create a very vibrant globally competent scientific ecosystem.

7. The notes on clauses explain in detail the various provisions contained in the Bill.

8. The Bill seeks to achieve the above objectives.

NEW DELHI;

DR. JITENDRA SINGH.

*The 29th July, 2023.*

*Notes on Clauses*

*Clause 1* of the Bill relates "Short title and commencement".

This clause seeks to provide for short title and commencement of the proposed Legislation.

*Clause 2* of the Bill relates to "Definitions".

This clause seeks to provide for definition of certain expressions used in the proposed Legislation.

*Clause 3* of the Bill relates to "Establishment of Anusandhan National Research Foundation".

This clause seeks to provide for establishment of a Foundation to be known as the Anusandhan National Research Foundation to carry out the objectives specified in clause 4 of the proposed Legislation.

*Clause 4* of the Bill relates to "Objectives of Foundation".

This clause seeks to provide that the Foundation shall serve as the apex body to provide high-level strategic directions for research, innovation and entrepreneurship in the country.

*Clause 5* of the Bill relates to "Governing Board".

This clause seeks to provide for the composition of the Governing Board of the Foundation to be headed by the Prime Minister which shall provide high-level strategic directions and monitor the implementation of objectives of Foundation.

*Clause 6* of the Bill relates to "Meetings of Governing Board".

This clause seeks to provide for transactions of business at meetings of the Governing Board.

*Clause 7* of the Bill relates to "Executive Council".

This clause seeks to provide for constitution of the Executive Council to implement the provisions of the proposed Legislation.

*Clause 8* of the Bill relates to "Meetings of Executive Council".

This clause seeks to provide for transactions of business at meetings of the Executive Council.

*Clause 9* of the Bill relates to "vacancies, etc., not to invalidate proceedings of the Governing Board or the Executive Council".

This clause seeks to provide for the grounds under which the vacancies, etc., not to invalidate proceedings of the Governing Board or the Executive Council.

*Clause 10* of the Bill relates to the "Functions of the Executive Council".

This clause seeks to provide the various functions to be performed by the Executive Council specified in the said clause.

*Clause 11* of the Bill relates to "Chief Executive Officer and other officers and employees of Foundation".

This clause seeks to provide for appointment of Chief Executive Officer, other officers and employees of the Executive Council and engaging services of consultants and visiting

scientists and to provide for their qualifications, experience, terms and conditions of services and salary and allowances payable to them.

*Clause 12 of the Bill relates to "Constitution of Committees".*

This clause seeks to empower the Executive Council to constitute committees for efficient discharge of its duties and performance of functions and to co-opt expert persons to such committees.

*Clause 13 of the Bill relates to "Funds of Foundation".*

This clause seeks to provide for the constitution of Funds of the Foundation including the Anusandhan National Research Foundation Fund, Innovation Fund, Science and Engineering Research Fund and some Special Purpose Funds.

*Clause 14 of the Bill relates to "Budget".*

This clause seeks to enable the Executive Council to prepare the annual Budget of the Foundation for the ensuing financial year.

*Clause 15 of the Bill relates to "Annual report".*

This clause seeks to empower the Executive Council to prepare the Annual Report of the Foundation giving full account of the activities of the Foundation during the previous financial year.

*Clause 16 of the Bill relates to "Accounts and audit".*

This clause seeks to provide for maintenance of proper accounts and audit of the same annually by the Comptroller and Auditor-General of India.

*Clause 17 of the Bill relates to "Annual report and Auditor's report to be laid before Parliament".*

This clause seeks to provide that the Annual Report and Auditor's Report shall be required to be laid every year before both Houses of Parliament.

*Clause 18 of the Bill relates to "Certification and report to be furnished".*

This clause seeks to provide that any person getting any financial assistance from the Foundation shall be bound to submit to the Executive Council the utilisation certificate regarding such financial assistance and the report in respect of the research work done through the same.

*Clause 19 of the Bill relates to "Power of Governing Board to delegate".*

This clause seeks to provide that the Governing Board may delegate its certain powers and functions, subject to certain conditions and limitations, to the Executive Council, the Chairperson of the Council or Chief Executive Officer.

*Clause 20 of the Bill relates to "Power of Governing Board to issue directions".*

This clause seeks to empower the Governing Board to issue directions to the Executive Council.

*Clause 21 of the Bill relates to "Application of other laws not barred".*

This clause seeks to provide that the provisions of the proposed legislation shall be in addition to the provisions of any other law for the time being in force.

*Clause 22 of the Bill relates to "Protection of action taken in good faith".*

This clause seeks to provide that no prosecution or legal action shall be taken under the provisions of the proposed Legislation against the Central Government, Members of the Governing Board, Executive Council or any Committee and officers and employees of the Foundation for anything done in good faith.

*Clause 23* of the Bill relates to "Power to make rules".

This clause seeks to empower the Central Government to make rules for carrying out the purposes of the proposed Legislation.

*Clause 24* of the Bill relates to "Power of Executive Council to make regulations".

This clause seeks to empower the Executive Council to make regulations for carrying out the purposes of the proposed Legislation.

*Clause 25* of the Bill relates to "Rules and regulations to be laid before Parliament".

This clause seeks to provide for the rules and regulations made under the proposed Legislation to be laid before each House of Parliament.

*Clause 26* of the Bill relates to "Power to remove difficulties".

This clause seeks to empower the Central Government to remove, within a period of two years, any difficulty arising in giving effect to the provisions of the Act.

*Clause 27* of the Bill relates to "Repeal and savings".

This clause seeks to provide for repeal of the Science and Engineering Research Board Act, 2008 and for saving of actions taken thereunder.

## FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for objectives of the Anusandhan National Research Foundation which include funding of matters related to implementation of its objectives.

Sub-clause (4) of clause 5 of the Bill makes provision for honorarium and allowances of nominated Members of the Governing Board.

Clause 7 of the Bill seeks to establish the Executive Council. Sub-clause (4) of the said clause provides for honorarium and allowances of the expert Members of the Executive Council.

Clause 11 of the Bill seeks to appoint the Chief Executive Officer and other officers and employees. Sub-clause (2) of the said clause makes provision for salary and allowances payable to the Chief Executive Officer. Sub-clause (4) of the said clause makes provision for salary and allowances payable to other officers and employees of the Executive Council. Sub-clause (5) of the said clause provides for engagement of consultants and visiting scientists. Sub-clause (6) of said clause makes provision for honorarium payable to the consultants and visiting scientists.

Clause 13 of the Bill provides that after the appropriation made by Parliament, by law, the Central Government may make to the Foundation by way of grants and loans, of such sums of money as that Government may consider necessary, for being utilised for the purposes of the proposed Legislation. The said clause further provides that the Foundation may receive sums through donations, recoveries, investment and the amounts with the 'Fund for Science and Engineering Research' constituted under the Science and Engineering Research Board Act, 2008.

Clause 16 of the Bill seeks to provide for maintenance of accounts and other records of the Foundation. Sub-clause (3) of the said clause provides that any expenditure incurred in connection with the audit of the Foundation shall be payable to the Comptroller and Auditor-General of India.

2. The provisions of the proposed Legislation, if enacted, would involve recurring and non-recurring expenditure of fourteen thousand crore rupees for over a five year period from and out of the Consolidated Fund of India.



## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 23 of the Anusandhan National Research Foundation Bill, 2023 (the Bill) empowers the Central Government to make rules. These matters, *inter alia*, include:

(a) the qualifications, experience, honorarium and allowances payable to and other terms and conditions of the Members of the Governing Board under sub-section (4) of section 5;

(b) the qualifications, experience, honorarium and allowances payable to and the other terms and conditions of the Members of the Executive Council under sub-section (4) of section 7;

(c) the qualifications, experience, salary and allowances payable to and the other terms and conditions of the Chief Executive Officer under sub-section (2) of section 11;

(d) the qualifications, experience, salary and allowances payable to and the other terms and conditions of the other officers and employees under sub-section (4) of section 11;

(e) the other sources from where the Foundation receive monies under clause (f) of sub-section (1) of section 13;

(f) the financial rules for the utilisation of the amounts in the funds under sub-section (4) of section 13;

(g) the form, manner, time and interval for preparation of budget for the next financial year under section 14;

(h) the form, manner and time for preparation of annual report by the Executive Council under section 15;

(i) the form and manner of preparation of annual statement of accounts by the Executive Council under sub-section (1) of section 16;

(j) the date of submission of audited copy of accounts together with the auditor's report under sub-section (4) of section 16;

(k) the manner of dealing with the monies transferred by the Board to the Foundation under second proviso to clause (b) of sub-section (3) of section 27; and

(l) any other matter which is to be or may be prescribed or in respect of which provision is to be made by rules.

2. Clause 24 of the Bill empowers the Executive Council to make regulations. The matters in respect of which the Executive Council may make regulations, *inter alia*, include:

(a) the time, place and the procedure in regard to transaction of business at the meetings of the Governing Board under sub-section (1) of section 6;

(b) the time, place and the procedure in regard to transaction of business at the meetings of Executive Council under sub-section (1) of section 8;

(c) the requirements for registration, form and manner for making applications for financial assistance, as well as reports and certification to be furnished under clause (b) of section 10;

(d) the eligibility criteria and honorarium payable to the consultants and visiting scientists under sub-section (6) of section 11;

(e) the form, manner and time for furnishing certification and report to the Foundation under sub-section (1) of section 18; and

(f) any other matter which is required to be or may be specified by regulations or in respect of which provision is to be made by regulations.

3. The matters in respect of which rules and regulations may be made under the aforesaid provisions are matters of detail and it is not practicable to provide them in the Bill itself. The delegation of legislative powers is, therefore, of a normal character.

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UTPAL KUMAR SINGH,  
*Secretary-General.*